

PROJECT SCOPING STATEMENT

East Fork Pasture Improvements Proposal
Winter Pasture Improvements Proposal
USDA, Forest Service
Douglas Ranger District
Medicine Bow-Routt National Forests
and Thunder Basin National Grassland
Campbell County, Wyoming

INTRODUCTION

The United States Forest Service and the Spring Creek Grazing Association entered into a Cooperative Grazing Agreement on August 23, 2002. This agreement is for a period of ten (10) years, and permits the grazing of livestock owned by members of the grazing association in allotments and pastures on federal lands on the Thunder Basin National Grassland.

The East Fork and Winter livestock grazing pastures are located in the Jenkins and Heald Allotments respectively, northeast of Weston, WY. More specifically the area is northeast of the Heald Ranch off of the Heald Road. The legal description takes in sections 11, 14, 15, and 28 of the Federal lands in T55N, R69W. The East Fork Pasture consists 1,388 acres all of which are National Grassland. The Winter pasture includes 1,853 total acres of which 928 acres are National Grassland. The type of livestock permitted in each pasture is cow/calf pairs. Grazing occurs seasonally and annually in both pastures. Both proposals fall within the boundaries of the Duck Creek inventoried roadless area.

The purpose of this project scoping statement and the invitation to comment on the proposed action is to provide you with an opportunity for early and meaningful participation in the environmental analysis of this proposal prior to a decision being made by the Responsible Official. Those persons who provide substantive comments now about this project will be eligible to appeal the decision under the regulations (36 CFR Part 215.13).

PROPOSED ACTION

To install and/or construct rangeland improvements on National Grassland administered jointly by the USFS and the Spring Creek Grazing Association. These proposed improvements are for two different allotments by two different permittees. On the Heald allotment the proposal is to have approximately 1,400 feet of pipeline cross a corner of National Grassland. This is part of a larger project that is being done on the private land within the allotment through the NRCS and its EQIP program. On the Jenkins allotment the proposal calls for approximately one mile of new water pipeline and installing three (3) livestock water tanks. The water source to feed the pipeline and tanks will come from an existing USFS water well. These improvements will be installed using vehicles for hauling materials and will result in approximately one to two acres of total affected area for both proposals.

A roadless area report will be prepared as a part of the environmental effects analysis for this project.

PURPOSE AND NEED FOR ACTION

The Forest Service concurs that there is an existing *need* and that, with a change in the way domestic livestock grazing use is distributed in the allotments, the condition of vegetation can be improved to better reflect the desired conditions and goals described in the 2002 Thunder Basin National Grassland Land and Resource Management Plan (Grassland Plan). Implementing the proposal to create several new water sources for livestock, can serve the *purpose* of better distributing grazing use and forage utilization which may move riparian areas, woody draws and other key vegetation areas in the pasture toward the desired condition as described in the Grassland Plan.

The Grassland Plan provides a *standard* requiring that “In riparian habitats/wooded draws, only allow livestock strategies that promote healthy understory and productive shrubs”. It also provides a *guideline* for managing livestock grazing to maintain or improve riparian/woody draw areas. Additional water sources would provide an opportunity to better meet this *standard* and to achieve the intent of the *guideline*.

Currently, a form of “rotational grazing” that defers use of the East Fork and Winter pastures for part of the year is being employed. The current distribution of forage utilization and the lack of reliable, working water sources, over utilize areas of the pastures due to concentration of grazing in certain areas.

AFFECTED ENVIRONMENT

The East Fork and Winter pastures occur in an area of gently rolling to fairly rugged hills and drainages in the Duck Creek break area. The vegetation type is typically a mix of sagebrush, ponderosa pine stands, and grassland. All federal lands in the allotments and pastures are permitted for livestock grazing and are also used by hunters, and other recreational users.

The Grassland Plan describes this area as being located in Management Area 3.65, which provides for rangelands with diverse and natural appearing landscapes. All of the federal acres (2,316) in the East Fork and Winter pastures lie within the Duck Creek inventoried roadless area. Within the roadless area the proposal calls for three livestock tanks and approximately 1.5 miles of pipeline. No new road construction is planned to access any of the proposed improvements.

DECISIONS TO BE MADE

The decision to be made by the District Ranger is whether or not, and if so under what circumstances the proposed improvements would be constructed in the East Fork and Winter pastures. It will consider that the acres in these pastures have been identified as having roadless character.

RELATIONSHIP TO OTHER LAWS AND DOCUMENTS

As a part of the effort to develop and describe the proposed action, the District Ranger and ID team reviewed and discussed all available information and data about the possible effects and or impacts that this action could have on the physical and biological environments in the analysis area, and the relationship between the proposal and laws, regulations, and agency policy that must be complied with if the proposal would be implemented.

Floodplains, wetlands, prime lands, threatened and endangered plant and animal species, global warming, minerals, cultural resources, consumers, civil rights, women, minority groups, and other environmental factors, and the possible beneficial effects and/or adverse impacts of this proposal on those resources will be considered.

The requirements of the Bankhead Jones Farm Tenant Act apply to this proposed project. The Bankhead Jones Farm Tenant Act of 1937 (7 USC 1010) provides that the Secretary of Agriculture is authorized and directed to develop a program of land conservation and utilization in order to correct maladjustments in land use, and thus assist in controlling soil erosion, conducting reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land, health, safety, and welfare, but not to build industrial parks or establish private industrial or commercial enterprises.

Endangered Species Act of December 28, 1973 (87 Stat. 884) P.L. 93-205, as amended. A Biological Assessment/ Biological Evaluation document will be written for the project and mitigation measures put into place for any threatened or endangered plants or animals found in the project area and that may be impacted by the project.

Executive Order 11990 – Protection of Wetlands 42 FR 26961 (signed May 25, 1977), and Executive Order 11988 – Floodplain Management 42 FR 26951, (signed May 25, 1977). The Forest Service will consider the proposed action in accordance with the Executive Orders.

National Historic Preservation Act of October 15, 1966 (80 Stat. 915) P.L. 89-665, as amended, & Archeological Resources Protection Act of October 31, 1979 (93 Stat. 721) P.L. 96-95, as amended. A Heritage resource inventory and report will be completed for the Federal lands in the project area.

Clean Water Act (Federal Water Pollution Control Act) of June 30, 1948, (62 Stat. II 55) P.L. 80-845, as amended by the Water Quality Act of 1987 (Act of February 4, 1987, P.L. 100-4) and other laws. This proposed project is not expected to violate any provisions of this Act.

The proposed action is expected to comply with the standards, guidelines, and stipulations for grazing of livestock on National Forest System (NFS) lands as described in the Thunder Basin National Grassland Land and Resource Management Plan of 2002.

PUBLIC COMMENTS REQUESTED

Scoping to identify issues and concerns is an important part of the environmental analysis process (40 CFR Part 1501.7). You are encouraged to take the time to consider the proposed improvements for the East Fork pasture of the Jenkins Allotment and the Winter pasture of the Heald Allotment that are described elsewhere in this scoping document and submit your comments on this proposal to the Douglas District Ranger who will be the decision maker for this proposal. The formal public comment period about this proposed action will end 30 days from the day after the Legal Notice about the action and this period of opportunity to comment is published in the Casper Star Tribune. No other formal public comment period regarding this action or the environmental analysis that will occur is planned.

Written comments may be submitted to the District Ranger, Douglas Ranger District, 2250 E. Richards, Douglas, Wyoming 82633, Attention: Kurt Staton, Rangeland Management Specialist. Written comments must be postmarked by the Postal Service, e-mailed, faxed, or otherwise submitted by 11:59 p.m. on the 30th calendar day following publication of the Legal Notice of this proposed action. E-mail comments should be sent to: **comments-rocky-mountain-medicine-bow-routt-douglas-thunder-basin@fs.fed.us**. If comments are electronically mailed the sender should receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive such confirmation it is the sender's responsibility to ensure timely receipt by other means. Comments may be hand delivered to the Douglas Ranger District office between the hours of 7:30 a.m. and 4:30 p.m. Monday through Friday.

During this 30 day public comment period only those persons, who submit timely and substantive comments with supporting reasons that the Responsible Official should consider in reaching a decision, will be accepted as appellants (36 CFR, Part 215.13). In order to secure appeal eligibility, and individual or representative of an organization submitting comments must either sign the comments document or verify their identity upon request. For more than one name or multiple organizations, a signature must be provided by the individual authorized to represent the organization, or by each individual that wishes to have appeal eligibility. Individual members of an organization must submit their own substantive comments in order to meet the requirements of appeal eligibility as an individual. Comments received on behalf of an organization shall be considered as those of the organization only.

This letter and request for comments has also been mailed to other Federal, State, and local agencies, adjacent landowners, and individuals or organizations who may be interested in or affected by this project.

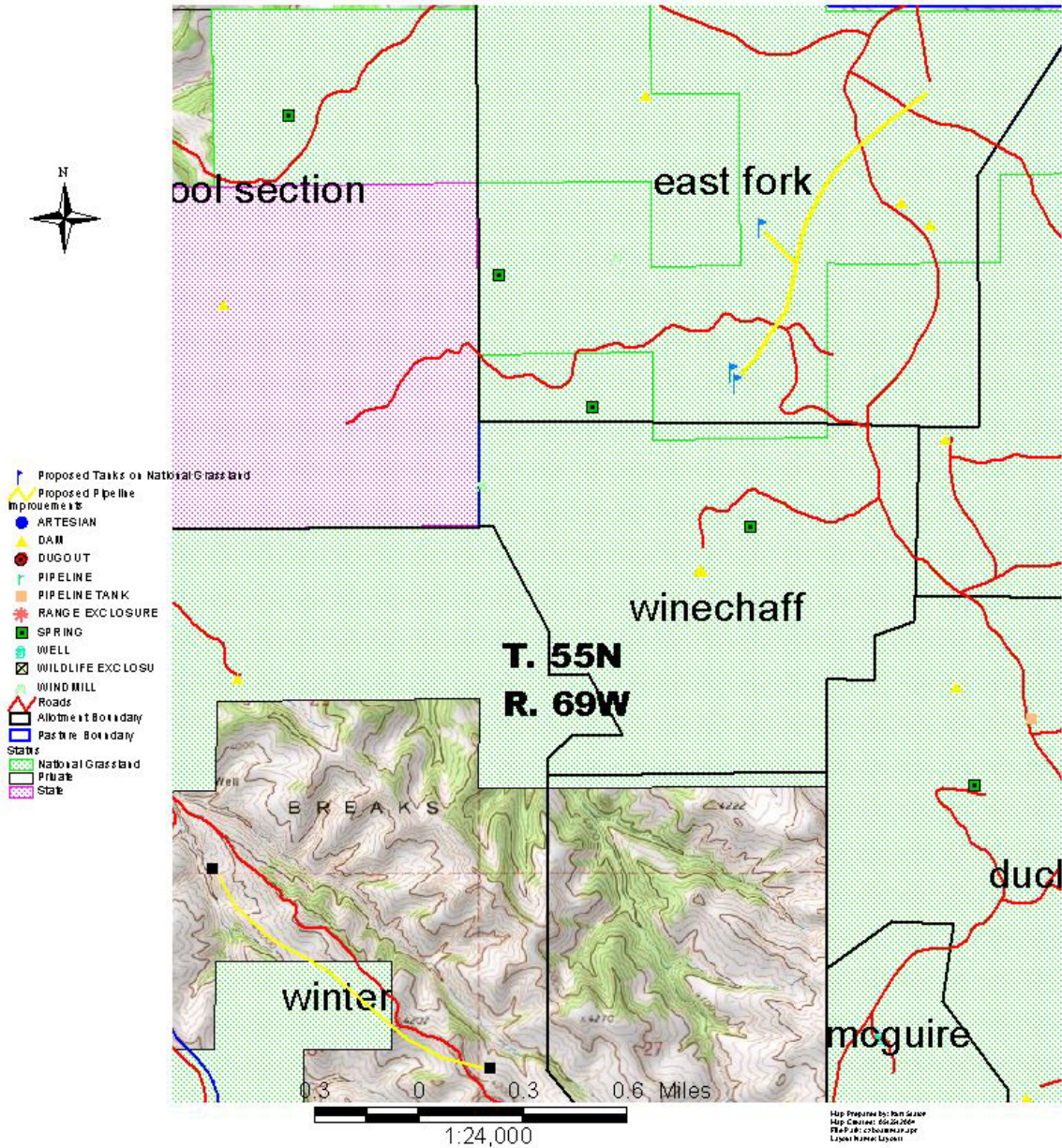
Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without

name and address within 10 days. For additional information, contact Kurt Staton, Rangeland Management Specialist, at (307) 358-4690.

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tape, etc.) should contact the USDA's Target Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Ave. SW, Washington, DC 20250-9410 or call 202-720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

East Fork Pasture Project Winter Pasture Project



The Forest Service and the BLM are committed to providing the best possible information to the public. This map is provided for informational purposes only and is not intended to be used for any other purpose. The Forest Service and the BLM are not responsible for any errors or omissions on this map. The Forest Service and the BLM are not responsible for any damages or injuries resulting from the use of this map. The Forest Service and the BLM are not responsible for any damages or injuries resulting from the use of this map.